

Notice of Allowability

Application No.

10/660,030

Examiner

Gregory R. Del Cotto

Applicant(s)

FOSTER

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amend. filed 7/17/06.
2. ☒ The allowed claim(s) is/are 2, 4-7, 11-14, 17-19, 21-25 renumbered 1-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

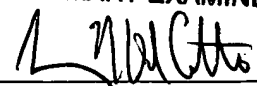
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 10/1/06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

GREGORY DELCOTTO
PRIMARY EXAMINER



EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mary Cameron on September 30, 2006.

The application has been amended as follows:

The Claims:

In claim 6, line 3, delete ", and wherein R¹, R², R³, R⁴ and R⁵ are as defined for formula I, and R⁶, R⁷ and R⁸ are independently selected from hydrogen and C₁-C₄ alkyl" and insert -- : --.

In claim 6, line 7, after the structure of formula II, insert – wherein R¹, R², R³, and R⁴ are independently selected from hydrogen and methyl; R⁵ is hydrogen, a C₁-C₆ alkyl or phenyl; and R⁶, R⁷ and R⁸ are independently selected from hydrogen and C₁-C₄ alkyl. --.

In claim 7, line 3, delete ", and wherein R¹, R², R³, R⁴ and R⁵ are as defined for formula I, and R⁶ and R⁷ are independently selected from hydrogen and C₁-C₄ alkyl" and insert -- : --.

In claim 7, line 7, after the structure of formula III, insert – wherein R¹, R², R³, and R⁴ are independently selected from hydrogen and methyl; R⁵ is hydrogen, a C₁-C₆ alkyl or phenyl; and R⁶ and R⁷ are independently selected from hydrogen and C₁-C₄ alkyl. --.

Art Unit: 1751

In claim 11, line 6, delete "an amine" and insert – 10-25 wt% of an alkanolamine -
-.

In claim 12, line 1, delete "Part A comprises 75-90 wt% alkoxyated aromatic alcohol component and 10-25 wt% amine component and".

In claim 13, line 2, delete "amine" and insert – alkanolamine --.

In claim 17, line 9, delete "alkoxyated aromatic alcohol component is" and insert
– ethoxylated unsubstituted benzyl alcohol and optional ethoxylated unsubstituted phenols are --.

In claim 17, line 10, delete "alkoxyated aromatic alcohol component" and insert --
ethoxylated unsubstituted benzyl alcohol and optional ethoxylated unsubstituted phenols --.

In claim 22, line 4, delete "1)".

In claim 22, line 5, delete ", and wherein R¹, R², R³, R⁴ and R⁵ are as defined for formula I, and R⁶, R⁷ and R⁸ are independently selected from hydrogen and C₁-C₄ alkyl" and insert -- : --.

In claim 22, line 9, after the structure of formula II, insert – wherein R¹, R², R³, and R⁴ are independently selected from hydrogen and methyl; R⁵ is hydrogen, a C₁-C₆ alkyl or phenyl; and R⁶, R⁷ and R⁸ are independently selected from hydrogen and C₁-C₄ alkyl. --.

In claim 22, line 10, delete the text beginning with "or..." through the text ending with "... III" in line 16.

Cancel claims 3 and 20.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Note that, Applicant's amendments, Applicant's arguments, and the Examiner's Amendment are sufficient to place the instant claims in condition for allowance. Of the references of record, the most pertinent is Kubota et al (US 5,679,629). Kubota et al teach a detergent composition for hard surfaces which contains a mixture of phenyl ethers. The detergent composition has excellent detergency and foaming properties and is useful for removal of denatured oily dirt in the kitchen. However, Kubota et al do not teach or suggest compositions containing a combination of the specific alkoxyated aromatic alcohols, amines, inorganic base, and water in the required amounts as recited by the instant claims.

None of the references of record, alone or in combination, teach or suggest a composition and two-part package intended to be diluted with water containing the specific alkoxyated aromatic alcohols, amines, inorganic bases, water, and the other requisite components of the composition in the specific amounts as recited by the instant claims. Accordingly, since the prior art fails to teach or suggest such a composition as recited by the instant claims, the instant claims are deemed allowable.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 1751

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory R. Del Cotto whose telephone number is (571) 272-1312. The examiner can normally be reached on Mon. thru Fri. from 8:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas McGinty can be reached on (571) 272-1029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Gregory R. Del Cotto
Primary Examiner
Art Unit 1751

GRD
October 1, 2006